

“adapted to.” Accordingly, the Applicants request the withdrawal of the indefiniteness rejection.

Claims 11-13 were rejected under 35 U.S.C. 102(b) as being anticipated by Knapp et al. (U.S. Patent No. 5,685,938). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Knapp et al. in view of Bose et al. (U.S. Patent No. 4,952,441). For the reasons discussed below, the Applicants request the withdrawal of the art rejections of Claims 11-14.

Claim 11 of the present application advantageously recites a backing sheet for insulation including a backing sheet for insulation including a first side having an adherent material thereon, a second side, and a stapling tab extending along an edge of the backing sheet. The first side with the adherent material having a fiberglass sheet receiving portion. The stapling tab is defined as having a first portion of the second side positioned against a second portion of the second side. The backing sheet further includes a tacky substance bonding the first portion of the second side to the second portion of the second side.

The Applicants respectfully submit that the Knapp et al. reference does not disclose all of the limitations recited in Claim 11, and therefore does not anticipate Claim 11. More specifically, the Knapp et al. reference does not disclose a backing sheet with a first side with the adherent material having a fiberglass sheet receiving portion, and a stapling tab that is defined as having a first portion of the second side positioned against a second portion of the second side and a tacky substance bonding the first portion of the second side to the second portion of the second side. In this configuration, the first side of the backing sheet has a fiberglass sheet receiving portion and the second side has a first portion that is bonded to a second portion by a tacky substance.

To the contrary, the Knapp et al. reference describes a paper sheet (32) that has a first side (an upper side as depicted in Figure 4) with a bituminous material (34) that adheres the first side of the paper sheet (32) to the lower surface of the glass fiber blanket (20). The paper sheet (32) also includes a second side (a lower side as depicted in Figure 4). However, contrary to the configuration recited in Claim 11 of the present application, the second side of the paper sheet (32) does not have a tacky substance anywhere thereon. Claim 11 recites a stapling tab that is defined as having a first portion of the second side positioned against a second portion of the second side and a tacky substance bonding the first portion of the second side to the second portion of the second side. Such a configuration is not disclosed or suggested by the Knapp et al. reference.

Accordingly, the Applicants respectfully submit that Claim 11 is not anticipated by the Knapp et al. reference.

Claims 12-14 are considered allowable for the reasons advanced for Claim 11 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 11.

Claims 19 and 20 were rejected under 35 U.S.C. 102(e) as being anticipated by Jorgenson et al. (U.S. Patent No. 5,713,885). For the reasons discussed below, the Applicants traverse the obviousness rejection.

Claim 19 of the present application advantageously recites a backing sheet for insulation including a first side having an adherent material thereon, a second side, and a stapling tab extending along an edge of the backing sheet. The stapling tab is defined as having a first portion of the second side positioned against a second portion of the second side. The backing sheet further includes at least one hole extending through the backing sheet

such that a portion of the adherent material extends through the at least one hole and contacts the second side.

The Jorgenson et al. reference is cited for the teaching of the at least one hole recited in Claim 19 of the present application. The Jorgenson et al. reference describes an absorbent article having a liquid-permeable cover, a liquid-impermeable baffle, and an absorbent with longitudinal side portions positioned intermediate thereof. The Jorgenson et al. reference states that the liquid-permeable cover (126) can contain a plurality of apertures to allow liquid to pass through the cover (126) and into the absorbent (102).

The Applicants submit that the Jorgenson et al. reference clearly does not disclose a backing sheet including at least one hole extending through the backing sheet such that a portion of the adherent material extends through the at least one hole and contacts the second side of the backing sheet, as expressly recited in Claim 19. Accordingly, the Jorgenson et al. reference does not anticipate Claim 19. The apertures briefly mentioned in the Jorgenson et al. reference do not have adherent material extending therethrough in the manner expressly recited in Claim 19 of the present application. Column 7, lines 11-12 of the Jorgenson et al. reference is cited for the teaching of the adherent material, however, this citation merely discusses the possibility of apertures and does not mention, in any way, the presence of adherent material extending through the apertures. The apertures are described as being sized to allow fluid (bodily fluids) to pass through the cover (126) and into the absorbent (102). The Jorgenson et al. reference, however, clearly does not disclose adherent material extending through the apertures, and therefore cannot be said to anticipate Claim 19 since the Jorgenson et al. reference does not disclose all of the limitations recited in Claim 19.

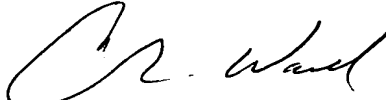
Claim 20 is considered allowable for the reasons advanced for Claim 19 from which it depends. This claim is further considered allowable as it recites other features of the

invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 19.

Consequently, in view of the above discussion, it is respectfully submitted that Claims 11-14, 19-20, and 32-33 are patentably distinguishing over the cited art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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IN THE CLAIMS

11. (Twice Amended) A backing sheet for insulation, said backing sheet comprising:
a first side having an adherent material thereon, said first side [and] with said adherent material [being adapted to receive a sheet of fiberglass material] having a fiberglass sheet receiving portion;

a second side;

a stapling tab extending along an edge of said backing sheet, said stapling tab having a first portion of said second side positioned against a second portion of said second side; and

a tacky substance bonding said first portion of said second side [and] to said second portion of said second side.

32. (New)

33. (New)